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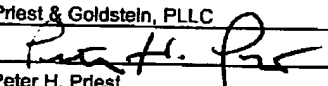
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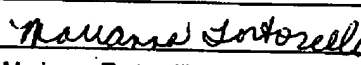
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<b>TRANSMITTAL FORM</b>  <i>(to be used for all correspondence after initial filing)</i>		Application Number	10/668,396
		Filing Date	Sep 23, 2003
		First Named Inventor	Goodwin, III, John C.
		Art Unit	3629
		Examiner Name	Gerardo Araque, Jr.
Total Number of Pages in This Submission	16	Attorney Docket Number	500.0372 (11486)

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance communication to (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): PTO 2038 Credit Card Form RCE Transmittal Exhibit A
Remarks _____		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Priest & Goldstein, PLLC		
Signature			
Printed name	Peter H. Priest		
Date	April 9, 2008	Reg. No.	30210

CERTIFICATE OF TRANSMISSION/MAILING			
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Signature			
Typed or printed name	Marianna Tortorelli	Date	April 9, 2008

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Goodwin, III  
Serial No.: 10/668,396  
Filed: September 23, 2003  
For: METHOD OF DISTINGUISHING STORE ITEMS HAVING RFID LABELS  
FROM ITEMS BROUGHT INTO THE STORE BY A SHOPPER  
Group: 3629  
Examiner: Gerardo Araque, Jr.

Durham, North Carolina  
November 29, 2007

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**CERTIFICATION OF FACSIMILE TRANSMISSION**

Sirs:

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax. No. 571-273-8300 on the date set forth below

1. Interview Summary (2 pages)

Marianna Tortorelli

Printed name of person signing

Marianna Tortorelli

Signature

Date: November 29, 2007

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Durham, North Carolina  
November 29, 2007

Commissioner for Patents  
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Alexandria, VA 22313-1450

Interview Summary

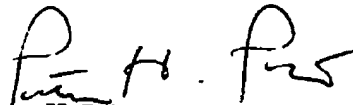
Sir:

On November 29, 2007, Examiner Araque called the undersigned to inquire whether he would be amenable to correcting antecedent basis issues in claim 18 by Examiner's Amendment. After reviewing the claim, the amendment shown below was proposed, the Examiner agreed that it addressed the antecedent basis issues while tracking the language of claim 17 "for sale and not marked sold" and it was agreed the Examiner would make this amendment by Examiner's amendment.

Appl. No. 10/668,396  
Amdt. dated November 29, 2007  
Reply to Office Action of April 6, 2007

18. The system of claim 17, wherein the security computer ~~determines that the third identification is within the second identification information, but determines that the third items were previously sold~~ controls display of an alert on a security display if it is determined the label read as the shopper exits the store is for an item for sale and not marked sold.

Respectfully submitted,



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